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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE JANIS L. SANMARTINO)

UNITED STATES OF AMERICA, Plaintiff, v. **CRECENCIO PADILLA-BAUTISTA**, Defendant.	CASE NO. 08-cr-0205-JLS **JOINT MOTION TO CONTINUE MOTION HEARING AND TRIAL SETTING**

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY
DAVID D. LESHNER, ASSISTANT UNITED STATES ATTORNEY

Crecencio Padilla-Bautista, by and through his attorneys, Victor N. Pippins and Federal Defenders of San Diego, counsel for Mr. Padilla-Bautista, jointly moves with Assistant United States Attorney David. D. Leshner, that the motion hearing and trial setting currently set for February 22, 2008, at 1:30 p.m. be continued until March 21, 2008, at 1:30 p.m.

This continuance is requested to allow counsel for Mr. Padilla-Bautista to have an opportunity to view Mr. Padilla-Bautista's A-file and use this information to prepare substantive motions to be heard at the motion hearing. Mr. Padilla-Bautista is currently in the custody of the U.S. Marshals. The parties agree that time should be excluded under the speedy trial act.

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For the foregoing reasons, the parties jointly request that the motion hearing and trial setting date be continued until March 21, 2008, at 1:30 p.m.

Dated: February 13, 2008

/s/ Victor N. Pippins
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Padilla-Bautista
Victor_Pippins@fd.org

Dated February 13, 2008

/s/ David D. Leshner
Assistant United States Attorney
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